

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

ALICE WRIGHT

Plaintiff,

vs.

DST SYSTEMS, INC.,

Defendant.

Case No. 4:21-00064-MC-W-HFS

**DEFENDANT DST SYSTEMS, INC.’S MOTION TO DISMISS
PLAINTIFF’S ACTION TO CONFIRM ARBITRATION AWARD**

DST Systems, Inc. (“DST”) hereby moves to dismiss plaintiff Alice Wright’s (“Plaintiff”) action to confirm her arbitration award. Because DST has appealed the award that Plaintiff seeks to confirm, the arbitration has not concluded and the award cannot be confirmed. DST contemporaneously submits its Suggestions in Support of its motion to dismiss. As explained more fully therein, confirming a non-final award would violate the terms of the parties’ arbitration agreement, the Federal Arbitration Act, and Eighth Circuit law.

WHEREFORE, DST respectfully requests that Plaintiff’s motion be dismissed in its entirety with prejudice. Pursuant to 9 U.S.C. § 4, the Court should order the parties to proceed with the appeals process before the American Arbitration Association, as set forth in the parties’ arbitration agreement. The Court also should award DST its costs and attorneys’ fees for responding to Plaintiff’s frivolous motion.

Dated: February 17, 2021
Kansas City, Missouri

Respectfully Submitted,

SHOOK, HARDY & BACON L.L.P.

By: /s/ Robert T. Adams

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CERTIFICATE OF SERVICE

I hereby certify on this 17th day of February 2021, a copy of the above and foregoing document was served on all counsel via the Court's EC/CMF system.

/s/ Robert T. Adams